

REMARKS

The Amendment:

The amendment to the specification adds sequence identifiers for each of the sequences provided in the specification. No new matter is added by way of this amendment. Entry of the amendment is respectfully requested.

The Restriction Requirement:

Claims 1-25 are subject to restriction. The claims are separated into the following groups:

Group I (claims 1-12) drawn to a method of isolating a phosphorylated target molecule;

Group II (claims 13-16) drawn to a method of isolating and detecting a phosphorylated target molecule;

Group III (claim 17) drawn to a kit; and

Group IV (claim 18-25) drawn to a metal binding compound of Formula IV.

Response to the Restriction Requirement:

In response to the Restriction Requirement, applicants elect Group I (claims 1-12) with traverse. Applicants respectfully request rejoinder of the claims of Group II (claims 13-16) with those of Group I.

According to the Office Action, "Inventions I and II are patentably distinct from one another because they involve different process steps." Applicants respectfully submit that the differences in steps recognized by the Examiner will not create a serious burden for simultaneous search and examination of the two groups. Particularly, both Groups I and II, are method claims involving steps of contacting, incubating, separating, and optionally determining sequences of samples with binding solutions comprising a phosphate-binding compound, a salt comprising trivalent metal ions and an acid. The differences, notably, Group II

involves a detection step in addition to the isolation method described in Group I, does not create a serious burden on the examiner.

Applicants submit that the key elements are consistent such that the groups should be co-examined. Separate examination of the Groups I and II would be redundant and inefficient. Applicants further note that Groups I and II share the same classification, as recognized by the Office Action.

CONCLUSION

In view of the above remarks, rejoinder of the claims of Group II with those of Group I is respectfully requested. Early notice to this effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned agent at (541) 335-0165.

Respectfully submitted,

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/Joel Silver/

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